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HIGH COURT OF CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI JAGDISH BHALLA, Ag. CJ

Writ Petition (C) No. 6755 of 2007

Petitioners

1. Nabho Yadav,
   S/o Late Manbodh,
   Aged about 63 years,
   R/o Village – Bamdadih
   Tehsil & Dist : Mahasamund (C.G.)
2. Gangadhar Chhatrapati,
   S/o Late Bairagi,
   Aged about 49 years,
   R/o Village Bamdadih,
   Tehsil & Dist : Mahasamund (C.G.)
   Special Power of Attorney Holder of the petitioner who is conducting the Civil Suit No. 40-1/07 in the Court of Third Civil Judge Class – 1 Mahasamund (C.G.) Presiding Officer Su Shri Sang Pushpa Bhatpahari

VERSUS

Respondents

1. Markando Yadav,
   Aged about 59 years,
   S/o Late Arjun Yadav,
   R/o Village – Bamdadih,
   Tehsil & Dist : Mahasamund (C.G.)
2. Nilesh Kumar Nande,
   Aged about 19 years,
   S/o Shri Hari Shankar Nande,
   R/o Village Bamdadih,
   Tehsil & Distt : Mahasamund (C.G.)
3. Hari Shankar Nande,
   Aged about 43 years,
   S/o Sadanand,
   R/o Village Bamdadih,
   Tehsil & Dist : Mahasamund (C.G.)

Writ Petition under Article 227 of the Constitution of India

Present: Shri C.R. Sahu, counsel for the petitioners.

ORAL ORDER
(Passed on 20th November, 2007)

The petitioners have approached this Court against the order passed by the trial Court whereby the petitioners were not allowed to adduce evidence as on earlier occasion they were allowed to do so. Learned counsel for the petitioners submits that since the petitioners live in village, therefore

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they did not come before the trial Court. No further explanation has come on behalf of the petitioners.

I am of the considered opinion that since the petitioners' application was rejected after providing full opportunity to adduce evidence, no interference is warranted with the impugned order. Accordingly, the writ petition is dismissed.

Sd/-
Acting Chief Justice